

By Senator Smith

14-752-04

See HB 123

1 A bill to be entitled
2 An act relating to assault or battery on
3 officials; amending s. 784.081, F.S.; providing
4 enhanced penalties for the offense of assault,
5 battery, aggravated assault, or aggravated
6 battery if the offense is committed upon
7 certain persons officiating at an
8 interscholastic activity; creating s. 784.0815,
9 F.S.; defining "sports official"; providing an
10 additional penalty for battery upon a sports
11 official under certain circumstances; providing
12 an effective date.

14 Be It Enacted by the Legislature of the State of Florida:

16 Section 1. Section 784.081, Florida Statutes, is
17 amended to read:

18 784.081 Assault or battery on specified officials or
19 employees; reclassification of offenses.--Whenever a person is
20 charged with committing an assault or aggravated assault or a
21 battery or aggravated battery upon any elected official or
22 employee of: a school district; a private school; the Florida
23 School for the Deaf and the Blind; a university developmental
24 research school; a state university or any other entity of the
25 state system of public education, as defined in s. 1000.04; an
26 interscholastic sports official, as defined in s.
27 440.02(15)(d)11.;an employee or protective investigator of
28 the Department of Children and Family Services; or an employee
29 of a lead community-based provider and its direct service
30 contract providers, when the person committing the offense
31 knows or has reason to know the identity or position or

1 employment of the victim, the offense for which the person is
2 charged shall be reclassified as follows:

3 (1) In the case of aggravated battery, from a felony
4 of the second degree to a felony of the first degree.

5 (2) In the case of aggravated assault, from a felony
6 of the third degree to a felony of the second degree.

7 (3) In the case of battery, from a misdemeanor of the
8 first degree to a felony of the third degree.

9 (4) In the case of assault, from a misdemeanor of the
10 second degree to a misdemeanor of the first degree.

11 Section 2. Section 784.0815, Florida Statutes, is
12 created to read:

13 784.0815 Assault on sports official; definition;
14 additional penalty.--

15 (1) For the purposes of this section, the term "sports
16 official" means any person who serves as a referee, an umpire,
17 or a linesman and any person who serves in a similar capacity
18 as a sports official who may be known by another title, which
19 sports official is duly registered by or is a member of a
20 local, state, regional, or national organization that is
21 engaged in part in providing education and training to sports
22 officials.

23 (2) In addition to any other penalty provided by law,
24 any person who batters a sports official, at any level of
25 competition, within the immediate confines or immediate
26 vicinity of the athletic facility at which the athletic
27 contest in which the sports official is an active participant
28 commits a misdemeanor of the first degree, punishable by a
29 fine of not more than \$10,000 and a term of imprisonment of
30 not more than 3 years.

31 Section 3. This act shall take effect October 1, 2004.